

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA

HILDA L. SOLIS, SECRETARY OF LABOR, :  
UNITED STATES DEPARTMENT OF LABOR, :  
: Petitioner, :  
: :  
v. : Misc. No. 10-185 :  
: :  
JOHN ROBERTS, MARA SCANLON :  
ROBERTS, STERLING PRINTING AND :  
GRAPHICS, INC., AND THE S P 401(K) PLAN, :  
: Respondents. :  
: :  
:

**CONSENT ORDER**

AND NOW, this 26<sup>th</sup> day of August, 2010, upon consideration of the  
Secretary of Labor's Petition to Enforce Administrative Subpoenas (the "Petition"), and upon the  
agreement of the parties, it is hereby ORDERED that:.

1. Respondents John Roberts and Mara Scanlon Roberts (collectively  
"Respondents") shall produce all documents covered by the administrative subpoenas that are  
subject of the Petition and that were issued by the Employee Benefits Security Administration,  
United States Department of Labor, The Curtis Center, Ste. 870W, 170 S. Independence Mall  
West, Philadelphia, Pennsylvania, 19106. These documents shall be delivered by Respondents  
to the Employee Benefits Security Administration at the aforementioned address by Monday,  
Sept. 27, 2010.

2. To the extent that Respondents allege that any of the requested documents cannot  
be produced, Respondents shall, by Friday, Oct. 1, 2010, file with this Court notarized

affidavits specifying each document or category of documents Respondents claim cannot be produced and stating with specificity the reasons supporting that claim. For any document that Respondents claim cannot be produced because it is not in their possession or control, Respondents shall state the date on which the document ceased to be in their possession or control and the reasons the document ceased to be in Respondents' possession or control. For any document that Respondents claim cannot be produced because it was destroyed, Respondents shall state the date on which such document was destroyed, the person(s) responsible for directing or carrying out its destruction, and the reasons the document was destroyed. Respondents shall also state that they made diligent efforts to obtain such documents from third parties (such as their accountants, attorneys, plan service providers and subsequent business owners), and describe in detail such efforts. A copy of these affidavits must be delivered by hand or by overnight carrier to the Employee Benefits Security Administration, United States Department of Labor, The Curtis Center, Ste. 870W, 170 S. Independence Mall West, Philadelphia, Pennsylvania, 19106.

3. To the extent that Respondents allege that any of the requested documents are or were in the possession of another person or entity subsequent to Respondents' possession of the documents, Respondents shall provide in their notarized affidavits the name, address and telephone number of that other person or entity.

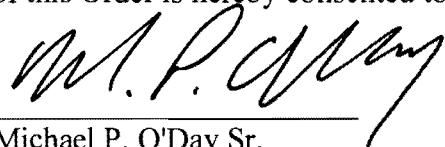
4. Unless this Court is notified in writing by the Secretary that Respondents have produced documents as directed above, Respondents John Roberts and Mara Scanlon Roberts are commanded to personally appear before this Court on OCTOBER 15, 2010 at 1:00 PM in Courtroom 3A to show cause why they should not be subject to additional coercive measures to compel Respondents' compliance with the Orders of this Court.

By the Court:



Gary L. Lancaster  
Chief, United States District Judge

John and Mara Scanlon Roberts  
appear by counsel and the entry  
of this Order is hereby consented to.



Michael P. O'Day Sr.  
PA 77618  
~~New Day Settlement Services, Inc.~~  
Suite 1802, The Frick Building  
437 Grant Street  
Pittsburgh, PA 15219  
(412) 281-1212

Petitioner, through counsel,  
moves for the entry of this Order.

U.S. DEPARTMENT OF LABOR

M. Patricia Smith  
Solicitor of Labor

Catherine Oliver Murphy  
Regional Solicitor

Joan M. Roller  
Attorney  
PA19617

  
Patrick M. Dalin  
Attorney  
PA307701

U.S. Department of Labor  
The Curtis Center, Suite 630 East  
170 S. Independence Mall West  
Philadelphia, PA 19106-3306  
(215) 861-5163

ROBERT S. CESSAR  
ACTING UNITED STATES ATTORNEY

BY:

Albert W. Schollaert  
Assistant United States Attorney  
Pennsylvania State Bar # 23629  
U.S. Courthouse and Post Office, Suite 4000  
7<sup>th</sup> & Grant Streets  
Pittsburgh, PA 15219-1955